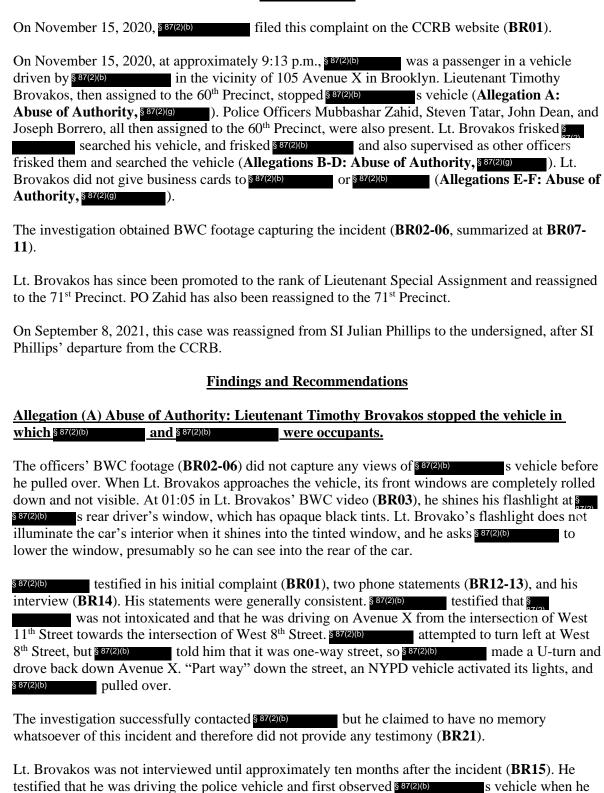
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Fo	rce		Discourt.		U.S.
Katherine White		Squad #5	202007569	─ ☑ Ab		\Box	O.L.	П	Injury
		1							J J
Incident Date(s)		Location of Incident:		Prec	inct:	18	Mo. SOL	E	O SOL
Sunday, 11/15/2020 9:13 PM		105 Avenue X		6	0	5/	15/2022	5/	15/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:	: Da	te/Time	Rece	ived at CC	RB	
Sun, 11/15/2020 11:22 PM		CCRB	On-line website	Su	n, 11/15	/2020	11:22 PM	I	
Complainant/Victim	Туре	Home Addre	ess	•					
Subject Officer(s)	Shield	TaxID	Command						
1. LT Timothy Brovakos	00000	943025	060 PCT						
Witness Officer(s)	Shield N	o Tax No	Cmd Name						
1. POM Mubbashar Zahid	03267	965634	060 PCT						
2. POM Steven Tatar	21004	959287	060 PCT						
3. POM John Dean	15205	952645	060 PCT						
4. POM Joseph Borrero	28310	964401	060 PCT						
Officer(s)	Allegatio	on			Inve	stiga	tor Recor	nme	ndation
A.LT Timothy Brovakos	Abuse: L which § 87	ieutenant Timothy Brov (2)(b) and § 87(2)(t)	wakos stopped the ve						
B.LT Timothy Brovakos	Abuse: L	ieutenant Timothy Brov	vakos frisked (8 87(2)						
C.LT Timothy Brovakos	Abuse: L	ieutenant Timothy Brov	vakos frisked (8 87(2)						
D.LT Timothy Brovakos	Abuse: L which § 87	ieutenant Timothy Brov (2)(b) and \$87(2)(b)	wakos searched the vere occu		n				
E.LT Timothy Brovakos	Abuse: L § 87(2)(b)	ieutenant Timothy Brow with a business		de					
F.LT Timothy Brovakos	Abuse: L § 87(2)(b)	ieutenant Timothy Brow with a business of		de					

Case Summary



noticed that its front driver's window, and potentially all other windows, were tinted. Lt. Brovakos did not recall the vehicle doing a U-turn or observing any indication that the driver was intoxicated. Lt. Brovakos did not recognize the vehicle and did not recall seeing any infractions other than the

window tints. Lt. Brovakos made the decision to stop the vehicle. Lt. Brovakos ultimately used his discretion and chose not to issue any summonses for the window tints.

Based upon the BWC footage, the investigation concluded that the window tints on selection vehicle appeared to be so dark that they completely obscured the vehicle's interior.

New York State Vehicle and Traffic Law § 375 (12-a)(b)(2) states that motor vehicles cannot have front windshields, side windows, or rear windows that transmit less than seventy percent of visible light (**BR23**).

3 07(2)(3)
Allegation (B) Abuse of Authority: Lieutenant Timothy Brovakos frisked Allegation (C) Abuse of Authority: Lieutenant Timothy Brovakos searched the vehicle in which \$87(2)(b) Allegation (D) Abuse of Authority: Lieutenant Timothy Brovakos frisked Allegation (D) Abuse of Authority: Lieutenant Timothy Brovakos frisked
It is undisputed that there was marijuana in the vehicle, that the vehicle smelled of marijuana, and that the vehicle contained at least one open container of alcohol. It is also undisputed that Lt. Brovakos frisked both men and searched the vehicle, and that other officers took similar actions. As Lt. Brovakos was supervising the other officers on scene, these allegations are pleaded solely against him.
At 1:30 in Lt. Brovakos' BWC footage (BR03), Lt. Brovakos asks \$87(2)(b) if he has been drinking. Lt. Brovakos states that \$87(2)(b) s eyes look "glassy." At 01:38, Lt. Brovakos tells "Just for the sake of the camera, I gotta have you step out of the car." \$87(2)(b) exits the car, and Lt. Brovakos frisks him. At 02:08, Lt. Brovakos says, "You got open beers in the car, I mean, you look wasted, you know what I'm saying? The car stinks like weed, too. You guys just smoke a fatty?" \$87(2)(b) acknowledges that the car smells of marijuana and says that he has not cleaned it. Lt. Brovakos says, "Well, you've gotta clean it out, man. It stinks to high heaven." At 2:30, Lt. Brovakos begins searching the vehicle. While searching, he notes that he has located "the joint they were just smoking," and identifies that \$87(2)(b) was a "recent arrest." At 05:45, two glass bottles are visible in the rear seat. At 09:10, Lt. Brokavos briefly frisks \$87(2)(b)
testified that officers ordered him to exit the vehicle and that PO Zahid frisked his arms, torso, and legs. Lt. Brovakos then frisked \$87(2)(0) s torso and thighs. Lt. Brovakos then searched \$87(2)(0) s vehicle and found an open bottle of beer in the back seat of the vehicle, as well as a "clip" of marijuana. The officers informed \$87(2)(0) that he appeared to be intoxicated and could not drive the vehicle for one hour.
Lt. Brovakos testified that he smelled a strong odor of burning marijuana emanating from the

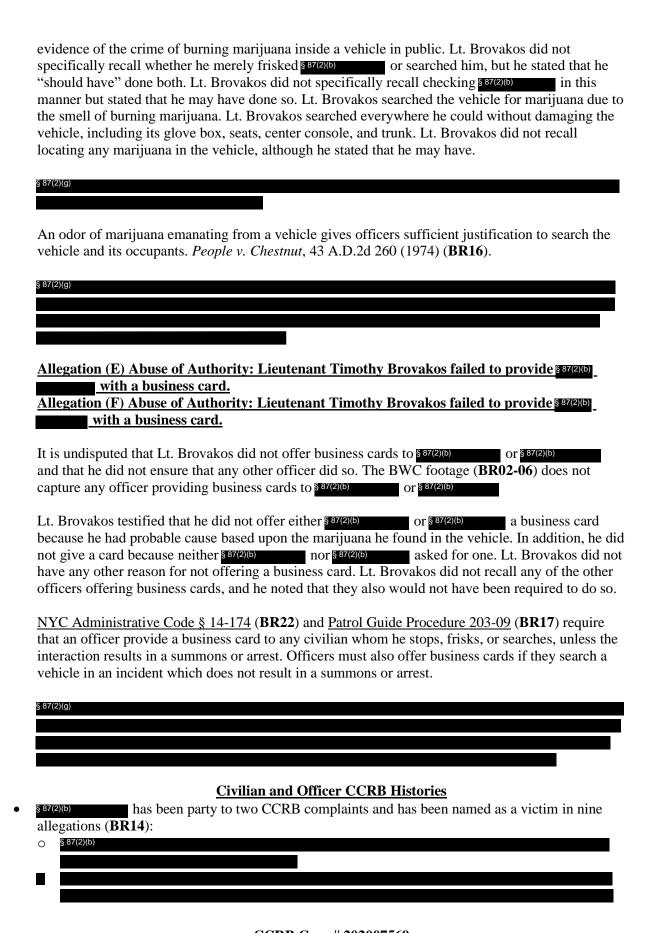
"slightly" slurred his speech and responded slowly. Lt. Brovakos believed, based on these factors,

probable cause and he wished to search the civilians and the vehicle with the intention of locating

from an unknown date between January and March of 2020, when he was arrested for crystal methamphetamine. Lt. Brovakos spoke to \$87(2)(b) who

might have been under the influence of alcohol or drugs. Lt. Brovakos directed and \$87(2)(b) to exit the vehicle because the odor of marijuana gave him

vehicle and saw that its interior was "hazy" with light smoke. Lt. Brovakos recognized



CCRB Case # 202007569

§ 87(2)(b)

- Lt. Brovakos has been a member of the NYPD for 15 years and has been a subject in 21 CCRB complaints and 54 allegations, of which four were substantiated:
 - 201500206 involved a substantiated allegation of a vehicle search against Lt. Brovakos. The Board recommended Command Discipline B, and the NYPD imposed Formalized Training.
 - o 201905132 involved a substantiated allegation of discourtesy (word) against Lt. Brovakos. The Board recommended Command-Level Instructions, and the NYPD imposed Instructions.
 - 201910398 involved substantiated allegations of discourtesy (word) and failure to provide a business card against Lt. Brovakos. The Board recommended Command Discipline A. The NYPD has not yet imposed discipline.
 - In addition, LT Brovakos is a subject in 13 complaints and 65 allegations, filed after this
 complaint, all but two of which are still open. The two closed cases have no substantiated
 allegations.

0	§	87	(2)	(b)

Mediation, Civil, and Criminal Histories

- §87(2)(b) declined to mediate this complaint.
- As of May 4, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this complaint (**BR19**).

3 01 (2)(0), 3 01 (2)(0)			
Squad: 5			
Investigator:	KW Signature	INV Katherine White Print Title & Name	February 3, 2022 Date
Squad Leader:	Daniel Giansante Signature	IM Daniel Giansante Print Title & Name	February 3, 2022 Date
Reviewer:	Signature	Print Title & Name	Date